



ATTORNEY DOCKET NO. T2073-00009

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of Ian Charles Ogilvy

Serial No.: 10/585,071

Art Unit: Unassigned

Filed: June 29, 2006

Examiner: Unassigned

Title: METHOD AND APPARATUS FOR PROGRAMMING  
COMPUTING DEVICES

**Petition Under 37 C.F.R. 1.47 (b)**

**Mail Stop Petition**

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

As the assignee of the entire right, title and interest in U.S. Patent Application No. 10/585,133, CardSoft, Inc. respectfully petitions pursuant to 37 C.F.R. § 1.47(b) to act on behalf of an inventor who cannot be found or reached after diligent effort. Pursuant to the requirements of 37 C.F.R. § 1.47(b), CardSoft submits the following documents in support of this petition:

- (i) A declaration under 37 C.F.R. § 1.63 and 1.64 executed by Mr. Donald Sweet, president of CardSoft, Inc.;
- (ii) A statement under 37 C.F.R. § 3.73(b) establishing the right of CardSoft, Inc. to act on behalf of named inventor Ian Charles Ogilvy;
- (iii) A declaration of relevant facts by Andrew Smyth of CardSoft, Inc. showing that inventor Ian Charles Ogilvy cannot be found or reached after diligent effort; and
- (iv) The petition fee set forth in 37 C.F.R. § 1.17.

In addition, CardSoft, Inc. states the following in support of this petition under 37 C.F.R. § 1.47(b):

1. The relationship of CardSoft, Inc. to Ian Charles Ogilvy is that CardSoft, Inc. is the sole assignee of the entire right, title and interest in U.S. Patent Application No. 10/585,133 naming Ian Charles Ogilvy as the sole inventor.

2. This petition is accompanied by proof that Ian Charles Ogilvy, the named inventor, cannot be found or reached after diligent effort.

3. The last known address of Ian Charles Ogilvy was:

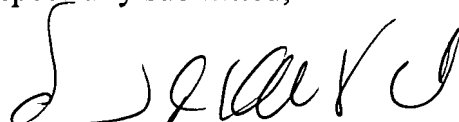
Suite 306, 39 East Esplande  
Manly, New South Wales,  
Australia 2095

4. CardSoft, Inc. has made a prima facie case that the invention has been assigned to it, by virtue of the attached statement under 37 C.F.R. § 3.73 and copies of the relevant assignment documents.

5. The filing of this application is necessary to preserve the rights of the parties and to prevent irreparable damage.

I further declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code.

Respectfully submitted,



Donald R. McPhail Reg. No. 35,811

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